

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JESSE RAY LAWRENCE,

Petitioner,

v.

LORIE DAVIS,

Respondent.

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CIVIL ACTION No. H-18-1447

MEMORANDUM OPINION AND ORDER

Petitioner, a state inmate proceeding *pro se*, filed this section 2254 habeas petition challenging his disciplinary conviction. Having reviewed petitioner's pleadings under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, the Court concludes that this case must be dismissed for failure to state a cognizable federal habeas claim.


Petitioner reports that he received a disciplinary conviction at the Jester 3 Unit. He states that he was sanctioned with loss of accrued good time credit, loss of line status, and loss of recreation and commissary privileges. Petitioner states that he is not eligible for mandatory supervised release.

To challenge a prison disciplinary conviction by way of a federal habeas petition, a petitioner must have received a punishment sanction which included forfeiture of previously accrued good time credit and be eligible for mandatory supervised release. *See Malchi v.*

Thaler, 211 F.3d 953, 957–58 (5th Cir. 2000) (holding that only state inmates eligible for mandatory supervised release have a protected liberty interest in accrued good time credit). Because petitioner reports that he is not eligible for mandatory supervised release, the sanctions imposed as a result of his disciplinary conviction provide no basis for habeas relief. Further, sanctions regarding line status and recreational and commissary privileges afford petitioner no basis for habeas relief. *Id.*

The petition for habeas relief is DENIED and this lawsuit is DISMISSED WITH PREJUDICE. Any and all pending motions are DENIED AS MOOT. A certificate of appealability is DENIED.

Signed at Houston, Texas on May 9, 2018.



Gray H. Miller
United States District Judge